

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARL A. MCCLOUD,

Defendant.

VIO: 18 U.S.C. § 1029(a)(3)
18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 1029(a)(4)

Case: 2:17-cr-20088
Judge: Steeh, George Caram
MJ: Grand, David R.
Filed: 02-14-2017 At 03:43 PM
SEALED MATTER (DP)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE
(18 U.S.C. § 1029(a)(3) – Possession of
Fifteen or More Unauthorized Access Devices)

D-1 CARL MCCLOUD

On or about November 18, 2013, in the Eastern District of Michigan, the defendant, **CARL MCCLOUD**, knowingly and with intent to defraud, possessed fifteen or more counterfeit and unauthorized access devices, that is stolen credit card numbers belonging to third parties and gift and debit cards re-encoded with stolen credit card numbers, said possession affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i).

COUNT TWO

(18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft)

D-1 CARL MCCLOUD

On or about November 18, 2013, in the Eastern District of Michigan, the defendant, **CARL MCCLOUD**, did knowingly possess, without lawful authority, a means of identification of another person, to wit, a Chase credit card number belonging to Victim G.D., ending in 6085, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: possession of more than 15 unauthorized access devices, in violation of 18 U.S.C. § 1029(a)(3), all in violation of 18 U.S.C. § 1028A(a)(1).

COUNT THREE

(18 U.S.C. § 1029(a)(4) – Possession of Device-Making Equipment)

D-1 CARL MCCLOUD

On or about November 18, 2013, in the Eastern District of Michigan, the defendant, **CARL MCCLOUD**, knowingly and with intent to defraud, had custody and control over, and possessed, device-making equipment, to wit: a credit card skimming device, and in doing so affected interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(4) and (c)(1)(A)(ii).

COUNT FOUR

(18 U.S.C. § 1029(a)(3) – Possession of
Fifteen or More Unauthorized Access Devices)

D-1 CARL MCCLOUD

On or about June 9, 2015, in the Eastern District of Michigan, the defendant, **CARL MCCLOUD**, knowingly and with intent to defraud, possessed fifteen or more counterfeit and unauthorized access devices, that is debit cards re-encoded with stolen credit card numbers, said possession affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i).

COUNT FIVE

(18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft)

D-1 CARL MCCLOUD

On or about June 9, 2015, in the Eastern District of Michigan, the defendant, **CARL MCCLOUD**, did knowingly possess, without lawful authority, a means of identification of another person, to wit, a Chase credit card number belonging to Victim P.E., ending in 5884, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: possession of more than 15 unauthorized access devices, in violation of 18 U.S.C. § 1029(a)(3), all in violation of 18 U.S.C. § 1028A(a)(1).

FORFEITURE ALLEGATION

(18 U.S.C. § § 982(a)(2)(B), 982(a)(8), and 1029(c)(1)(C)

The allegations contained in Counts One through Five of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(B), Section 982(a)(8) and 1029(c)(1)(C).

Upon conviction of the offenses in violation of Title 18, United States Code, Sections 1028, 1029A, and 1029 set forth in Counts One through Five of this Indictment, the defendant, **CARL McCLOUD**, shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of violations of Title 18, United States Code, Sections 1028, 1028A, and 1029, any personal property used or intended to be used to commit the violations of Title 18, United States Code, Sections 1028, 1028A, and 1029.

If any of the property identified in connection with the foregoing, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided

without difficulty,
the United States of America shall be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982((b)(1) and 1029(c)(2).

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
Grand Jury Foreperson

BARBARA L. MCQUADE
United States Attorney

s/John K. Neal
JOHN K. NEAL
Chief, White Collar Crime Unit

s/Andrew J. Yahkind
ANDREW J. YAHKIND
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Dated: February 14, 2017

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information		Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		AUSA's Initials: AJY

Case Title: USA v. CARL A. McCLOUD

County where offense occurred : Wayne

Check One: **Felony** **Misdemeanor** **Petty**

Indictment/____ Information --- no prior complaint.
 Indictment/____ Information --- based upon prior complaint [Case number: _____]
 Indictment/____ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below]

Superseding Case Information

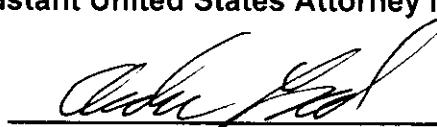
Superseding to Case No: _____ **Judge:** _____

Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

February 14, 2017
Date


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 Assistant United States Attorney
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 Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.